

Message Text

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PAGE 01 ZAGREB 00818 061555Z

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E.O. 11652: N/A

TAGS: BTRA, ETRD, YO

SUBJECT: BOILERS FOR HOTEL ESPLANADE-INTERCONTINENTAL IN ZAGREB

REF: STATE 191002

SUMMARY: HOTEL ESPLANADE HAS CONTRACTED WITH WEST GERMAN FIRM FOR DELIVERY OF TWO NEW BOILERS AND INTENDS TO SEEK REIMBURSEMENT FOR THEM FROM TRANE. ZAGREB REPRESENTATIVE OF TRANE HAS STATED HIS INTENTION TO CONTINUE DELIVERY OF AMERICAN BOILERS AND UNWILLINGNESS TO REIMBURSE ESPLANADE. END SUMMARY

1. WHEN INITIALLY UNABLE TO CONTACT TRANE REPRESENTATIVE, RUDI SECERBEGOVIC, IN ZAGREB, POST INFORMED DIRECTOR OF HOTEL ESPLANADE, BRANKO JAKOPOVIC, THAT YORK-SHIPLEY COULD DELIVER BOILER BY OCTOBER 21. (POST ASSUMES THIS DATE REFERS TO FOB NYC AND SO INFORMED ESPLANADE DIRECTOR.) JAKOPOVIC STATED THAT ESPLANADE MUST HAVE BOILERS INSTALLED IN TIME FOR NOVEMBER 15 OPENING OF NEW HOTEL. TAKING INTO ACCOUNT TIME NECESSARY FOR SHIPPING BY SEA, YORK-SHIPLEY DELIVERY DATE OBVIOUSLY WOULD NOT PERMIT INSTALLATION BY OPENING DAY OF HOTEL. THEREFORE, ESPLANADE HAS CONTRACTED WITH WEST GERMAN FIRM FOR DELIVERY OF TWO BOILERS, WHICH IT EXPECTS TO RECEIVE IN ZAGREB BY OCTOBER 26.

2. ACCORDING TO JAKOPOVIC, ESPLANADE HAS ALREADY PAID TRANE FOR EQUIPMENT WHICH IS TO BE DELIVERED FOR NEW HOTEL, INCLUDING BOILERS (30 PER CENT IN CASH AND 70 PER CENT IN

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PAGE 02 ZAGREB 00818 061555Z

LETTER OF CREDIT). ESPLANADE NOW INTENDS TO SEEK REIMBURSEMENT FROM TRANE FOR COST OF GERMAN BOILERS. ACCORDING TO ESPLANADE

LAWYER, ESPLANADE MUST PAY GERMAN FIRM WITHIN THREE DAYS OR BE
IN VIOLATION OF YUGOSLAV LAW.

3. POST SUBSEQUENTLY SUCCEEDED IN LOCATING SECERBEGOVIC AT
HOTEL LAV IN SPLIT AND PASSED INFORMATION CONTAINED IN REFTEL.
SECERBEGOVIC, SOMEWHAT EMOTIONALLY, INDICATED UNWILLINGNESS
TO REIMBURSE ESPLANADE FOR GERMAN BOILERS AND STATED HE INTENDED
TO CONTINUE WITH DELIVERY OF YORK-SHIPLEY BOILERS. SECERBEGOVIC
ALSO STATED THAT HE INTENDED TO SUE YORK-SHIPLEY FOR BREACH OF
CONTRACT IN CONNECTION WITH ALLEGEDLY UNWARRANTED INCREASE IN
PRICE AND DELAYS IN DELIVERY.

4. COMMERCE MAY WISH CONTACT TRANE TO ENCOURAGE MUTUALLY
SATISFACTORY RESOLUTION OF PROBLEM.
WILSON

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